

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

D&T PARTNERS, LLC, successor-in-interest to ACET Venture Partners, LLC, <i>et al</i>	§ § § §	
<i>Plaintiff,</i>	§ § § §	Civil Cause: 3:21-cv-1171-B
v.	§ § § §	
BAYMARK PARTNERS, LP, <i>et al.</i> ,	§ § §	
<i>Defendants.</i>	§ §	

**ORDER GRANTING WINDSPEED EMPLOYEES' MOTION TO DISMISS
FIRST AMENDED COMPLAINT PURSUANT TO RULE 12(b)(6)**

CAME ON FOR CONSIDERATION the motion filed by defendants Ms. Zhexian Lin (“Lin”), Ms. Dana Marie Tomerlin (“Tomerlin”), Ms. Padasamai Vattana (“Vattana”); Ms. Paula Ketter (“Ketter”), Ms. Vanessa Torres (“Torres” and together with Lin, Tomerlin, Vattana and Ketter the “Windspeed Employees”) styled *Windspeed Employees’ Motion to Dismiss First Amended Complaint Pursuant to Rule 12(b)(6)* (the “Motion”) filed on November 3, 2021 at docket no. ___. Upon Consideration of the Motion and accompanying brief in support, the Court finds and concludes as follows:

- A. The Motion was properly served and no further service is necessary.
- B. The Court has jurisdiction over the matter and has authority to enter this Order.

IT IS THEREFORE, ORDERED ADJUDGED AND DECREED that:

1. The Motion is hereby **GRANTED**.
2. The RICO Claims asserted in Counts I-III by Plaintiff D&T Partners, LLC (“Plaintiff”), directly and derivatively on behalf of ACET Global, LLC and Baymark ACET Holdco, LLC, are dismissed with prejudice for failure to state a claim upon which relief can be granted.

3. The state law claims asserted in Counts VI-VIII (the “State Law Claims”) by Plaintiff, directly and derivatively on behalf of ACET Global, LLC and Baymark ACET Holdco, LLC, are dismissed with prejudice for failure to state a claim upon which relief can be granted.

Dated: _____

HON. JANE J. BOYLE;
UNITED STATES DISTRICT JUDGE: